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PATENT  
Customer No. 22,852  
Attorney Docket No. 4329.2757

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
NAOYUKI WADA )  
Application No.: 10/090,145 ) Group Art Unit: 2611  
Filed: March 5, 2002 ) Examiner: Unknown  
For: CABLE MODEM, HEAD END )  
SYSTEM, AND CHANNEL )  
CHANGE METHOD FOR BI- )  
DIRECTIONAL COMMUNICATION )  
SYSTEM )

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), applicant brings to the attention of the Examiner the documents listed on the attached PTO 1449. This Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced application.

Copies of the listed documents are attached.

Applicant respectfully requests that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form.

In addition, a Search Report issued by the European Patent Office, dated July 9, 2004, in a corresponding application citing these documents is enclosed.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: \_\_\_\_\_

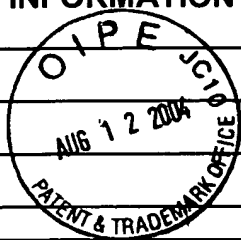
8/12/04

By: \_\_\_\_\_

Richard V. Burgujian  
Reg. No. 31,744

## INFORMATION DISCLOSURE CITATION

Atty. Docket No.	4329.2757	Appln. No.	10/090,145
Applicant	Wada		
Filing Date	March 5, 2002	Group:	2611



## U.S. PATENT DOCUMENTS

Examiner Initial*	Document Number	Issue Date	Name	Class	Sub Class	Filing Date If Appropriate
	5,943,604	8/24/99	Chen et al.			
	5,225,902	7/6/93	McMullan, Jr.			

## FOREIGN PATENT DOCUMENTS

Document Number	Publication Date	Country	Class	Sub Class	Translation Yes or No
WO 97/37454	10/9/97	PCT			

## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


Examiner	Date Considered
*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	
Form PTO 1449	Patent and Trademark Office - U.S. Department of Commerce